

Elaine L. Spencer
elaine.spencer@millernash.com
206.777.7551 direct line

July 27, 2017

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Mr. Ted Yackulic
USEPA Region 10
1200 Sixth Ave.
Mail Code ORC-113
Seattle, WA 98101

Office of Environmental Cleanup

Subject: Lower Duwamish Waterway - Slip 1

Dear Mr. Yackulic:

This is to follow up on a meeting I understand you had with representatives of a few non-LDWG PRPs in the Lower Duwamish Waterway Superfund Site. I understand in that meeting you sought their commitment to band together to fund remedial design for the waterway as a whole.

We represent Manson Construction Co. Manson has operated the headquarters of its heavy marine construction business on the south side of Slip 1 in the Lower Duwamish since the early 1950s. Manson is also the sole member of 5055 Properties LLC, which in June 2012 acquired the property at 5055 East Marginal Way, a portion of the upland property at the head of Slip 1. Manson has been identified as a PRP of the Lower Duwamish, and is participating in an allocation that is presently ongoing with other PRPs. While Manson is not interested in contributing to remedial design sampling of the waterway as a whole, we want you to be aware that in 2015 Manson conducted sampling which was intended to be at the intensity of remedial design sampling within and abutting Slip 1 of the Lower Duwamish. Enclosed with this letter is the report of the results of that sampling.

Figure 18 of EPA's 2014 ROD for the Lower Duwamish suggested that within and abutting Slip 1, approximately 73,000 square feet of sediments would require partial dredge and capping, 77,000 square feet would require dredging, 111,000 square feet would require capping, and 157,000 square feet would require enhanced natural recovery. See Attachment A. Manson concluded that the data available from the RI prepared by LDWG for EPA was not adequate for it to understand the sources and extent of that contamination. As a result, in 2015 Manson conducted additional

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Mr. Ted Yackulic

July 27, 2017

Page 2

sampling within and abutting Slip 1. Its objective was to better understand the source and extent of contamination within the area for which it is most likely to bear a share of the response costs. It attempted to resample points that had shown exceedances of the RALs in the prior sampling as well as to conduct additional sampling across Slip 1 and the area between Slip 1 and the federal navigation channel. Finally, Manson sampled within an historic slipway on the southwest corner of its leasehold property. The LDWG parties had done no sampling in that area, but because it was where Manson hauled out vessels for maintenance in the 1950s, 60s and 70s, we assumed it was the most likely area to reflect sediment contamination that may have been attributed to those activities. Rather than duplicate sampling later, Manson also attempted to conduct the sampling at the intensity that would likely be required for remedial design.

Attachment B shows sample-point-specific information concerning RAL exceedances from the 2015 sampling, and Attachment C shows the rather dramatic natural recovery that has occurred in the area within and abutting Slip 1 since the RI sampling. Based on Manson's 2015 sampling, there are two areas which require remediation pursuant to the remedy selected by EPA in the ROD: a considerably reduced area of metals contamination at the head of Slip 1, and approximately 11,500 square feet within the historic slipway. The remainder of Slip 1 and the mouth of Slip 1 and the area abutting Slip 1 all fall below the RALs, regardless of the recovery category eventually assigned to the areas. There is one sample point off of the Cadman property that exceeds the category 2/3 RAL for total PCBs, although it is below the upper limit for enhanced natural remediation. That point, however, has unusually low total organic carbon concentrations. We believe that at most that area should receive enhanced carbon treatment.

The RI sampling had disclosed an area of metals exceedances at the head of Slip 1, and projected, in the absence of data beyond three localized points, that almost 59,000 square feet would require dredge and capping. The 2015 sampling uncovered the source of those metals exceedances, which was dumping of spent sand blast grit along the shoreface of the 5055 East Marginal Way property, when it was owned by the Woeck family, who owned Marine Power & Equipment and Marine Leasing. The good news is that the 2015 sampling showed that the metals contamination has not spread nearly as far into Slip 1 as EPA's ROD projected. On the other hand, there is an area of approximately 26,000 square feet at the head of Slip 1 that will require active remediation.

Manson Construction Co. is the sole owner of 5055 Properties LLC, which currently owns the former Woeck-family property at the head of Slip 1. 5055 Properties

Mr. Ted Yackulic

July 27, 2017

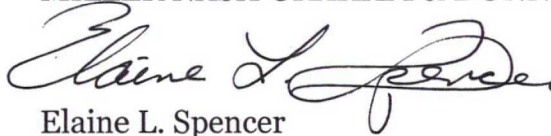
Page 3

LLC is seeking to redevelop that property, and will need to remediate metals contamination from the Woeck's dumping on the 5055 East Marginal Way property prior to that redevelopment. 5055 Properties LLC would like to complete the required remediation within the submerged lands as part of the same project, and representatives of 5055 Properties would like to meet with EPA to discuss how to best proceed so that the head of Slip 1 can be remediated in the near future.

Please let us know if you have any questions about this data, and when a meeting can be arranged with appropriate people within EPA to discuss completion of the remediation of the metals contamination at the head of Slip 1.

Very truly yours,

MILLER NASH GRAHAM & DUNN LLP



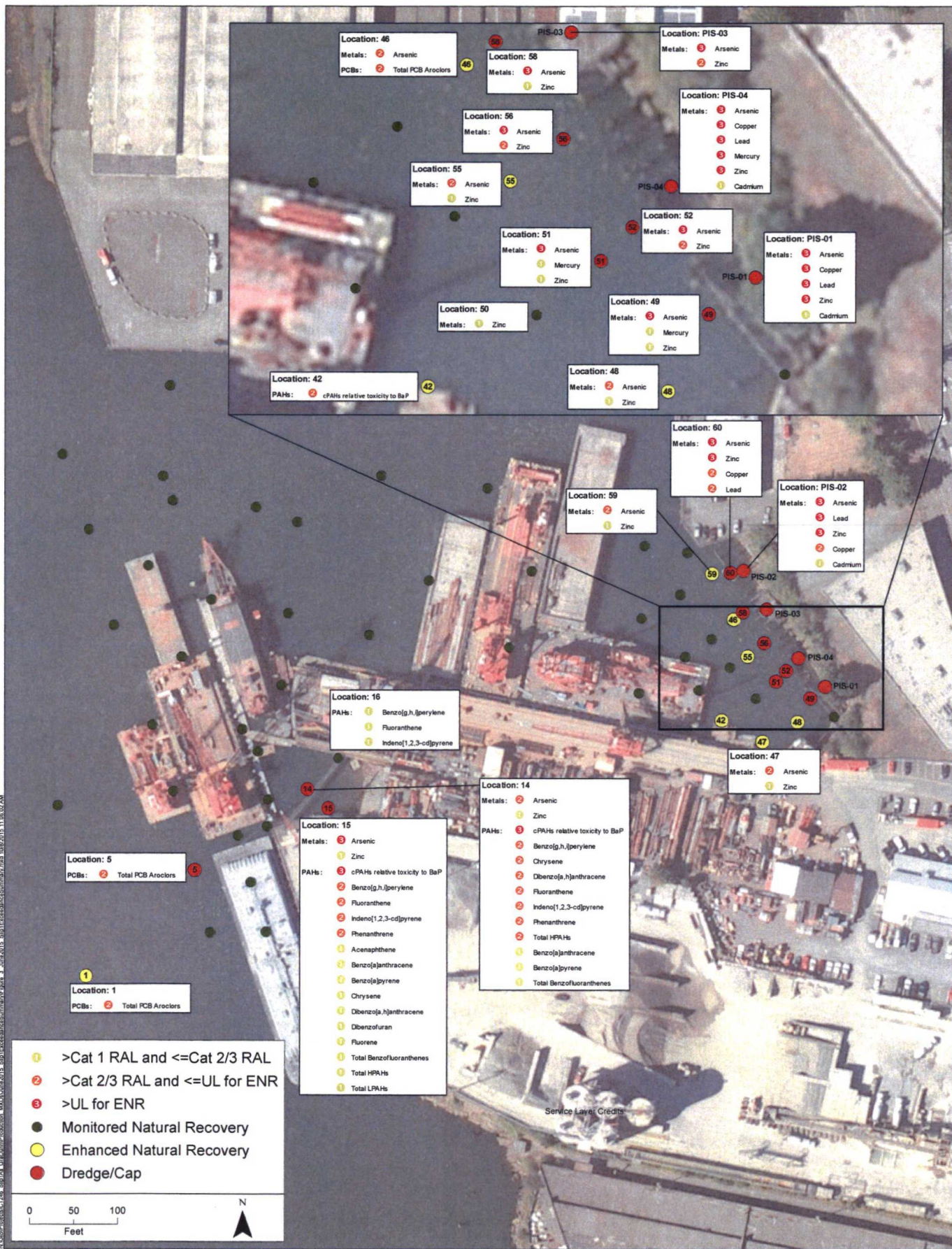
Elaine L. Spencer

Enclosures

cc: Elly Hale (w/encl)
Dan Whitaker
Douglas Steding PhD



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RAL = Remedial Action Level
ENR = Enhanced Natural Recovery
UL = Upper Limit

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Figure 3.
Detail of Exceedances

\\GIS\Projects\12146_Slipway\GIS\Map\Graduated\Production_MXD\ExpertReport\Figure 2-17-2015_Tech_Assignments.mxd 4/13/2017 12:58:51 PM

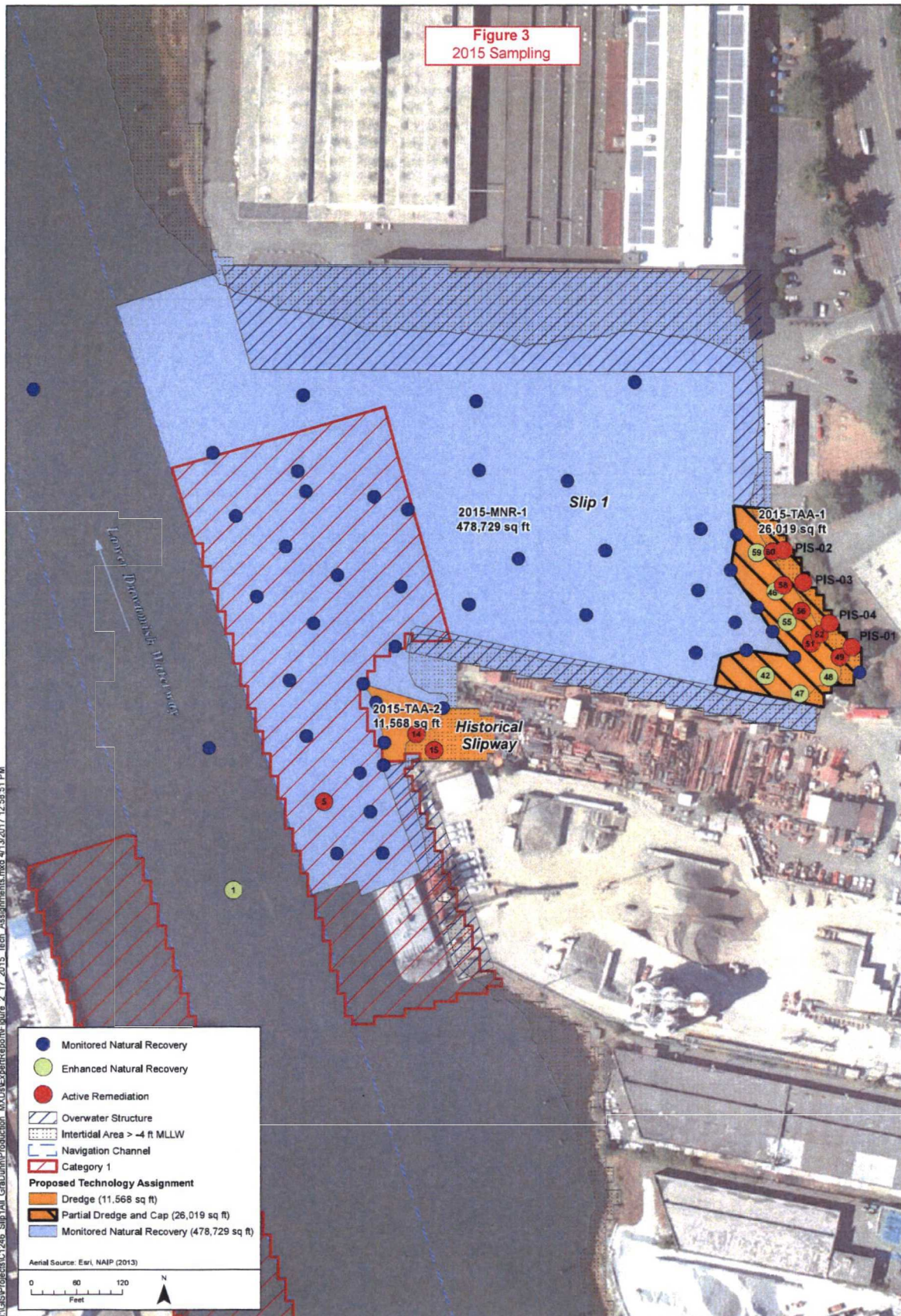


Figure 2-17.
Proposed Remedy Based on 2015 Supplemental Sampling

